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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,773	11/15/2001	Gregory R. Lloyd	TSQ-001	4625
959	7590	03/21/2005	EXAMINER	
LAHIVE & COCKFIELD, LLP. 28 STATE STREET BOSTON, MA 02109			ABEL JALIL, NEVEEN	
			ART UNIT	PAPER NUMBER
			2165	

DATE MAILED: 03/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/003,773

Applicant(s)

LLOYD ET AL.

Examiner

Neveen Abel-Jalil

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 14 and 17-34 is/are rejected.
- 7) ☒ Claim(s) 8-13, 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.



SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Remarks

1. The amendment filed on January 3, 2004 has been received and entered. Claims 32-34 have been newly added. Therefore, claims 1-34 are now pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim.

The recitation of “substantially” does not specifically define the degree of similarity or difference that is being claimed in the application.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-7, 14-15, and 17-34 are rejected under 35 U.S.C. 102(e) as being anticipated by deVries et al. (U.S. Patent No. 6,311,189 B1).

As to claim 1, deVries et al. discloses in an electronic device, a method, comprising the steps of:

- providing a plurality of entries containing data (See column 16, lines 1-38);
- assigning an entry identification number ("entry ID") to each of said entries (See column 16, lines 1-38),
- each said entry ID being a unique value (See column 16, lines 1-38);
- storing each entry indexed by its entry ID (See column 16, lines 1-38);
- altering one of the data in a selected one of the plurality of entries and a label associated with a selected one of the plurality of entries to create a new entry, said new entry having an entry ID assigned (See column 19, lines 17-67), the new entry having a substantially similar format as the selected entry (See column 7, lines 55-67, wherein "substantially similar" reads on "matching", also see column 20, lines 31-50);
- cross-indexing said new entry with said selected entry (See column 19, lines 59-67, and see column 20, lines 1-50);
- updating a meta structure associated with said selected entry to reflect relationship changes caused by said new entry, said updating including the time said selected entry was altered (See column 17, lines 17-38, also see column 19, lines 17-45, also see column 19, lines 59-67, and see column 20, lines 1-3); and

displaying said new entry in response to requests for said selected entry (See column 19, lines 59-67, and see column 20, lines 1-50).

As to claim 2, deVries et al. discloses comprising the further steps of:
parsing said selected entry into segments (See column 2, lines 8-38);
assigning an item ID having a unique value to each of said segments (See column 16, lines 1-38); and
updating the meta structure of said selected entry to include a reference to said item IDs (See column 24, lines 58-67, and see 19, lines 36-58).

As to claim 3, deVries et al. discloses comprising the further step of:
appending the parsed data from said selected entry to a journal, said journal being a data structure located in permanent memory (See column 2, lines 39-67).

As to claim 4, deVries et al. discloses comprising the further step of:
attaching a label to at least one of said segments, wherein said label is cross indexed with said segment, said selected entry and with a data structure referencing other entries containing segments with said label (See column 16, lines 1-38, also see column 2, lines 8-38).

As to claim 5, deVries et al. discloses comprising the further steps of:
searching said plurality of entries based on said label (See column 17, lines 59-67, and see column 18, lines 1-16); and

displaying the results of said search on a web page that references entries from said plurality of entries that contain said label (See column 17, lines 39-58).

As to claim 6, deVries et al. discloses comprising the further step of:
attaching a user-provided label to a user-defined part of said selected entry, said label being cross-indexed with said user-defined part, said selected entry and with a data structure referencing other entries containing said label (See column 20, lines 4-50, also see column 18, lines 1-16).

As to claim 7, deVries et al. discloses comprising the further step of:
displaying a web page containing only said user-defined part of said selected entry (See column 20, lines 4-50).

As to claim 14, deVries et al. discloses further:
providing a permanent memory location
parsing the data contained within said selected entry; and
storing the parsed data in a permanent memory location.

As to claim 15, deVries et al. discloses comprising the further steps of:
storing a reference to at least one of, another entry, an update to said selected entry, and a labeling of said selected entry, in a meta structure stored in a data structure in said permanent memory location (See column 16, lines 1-38).

As to claim 17, deVries et al. discloses wherein said selected entry is an email message (See column 9, lines 4-39).

As to claim 18, deVries et al. discloses wherein said selected entry is an attachment to an email message (See column 9, lines 4-39).

As to claim 19, deVries et al. discloses wherein said selected entry is a web page (See column 19, lines 1-16).

As to claim 20, deVries et al. discloses wherein said selected entry is user-input text (See column 16, lines 1-38, also see column 18, lines 1-16).

As to claim 21, deVries et al. discloses wherein said electronic device is interfaced with a network (See column 17, lines 39-58).

As to claim 22, deVries et al. discloses wherein said data contained in said selected entry is audio data (See column 21, lines 59-67).

As to claim 23, deVries et al. discloses wherein said data contained in said selected entry is video data (See column 22, lines 38-53).

As to claim 24, deVries et al. discloses wherein said entry is a complete document (See column 20, lines 51-67).

As to claim 25, deVries et al. discloses in a network, a method comprising the steps of:
storing a selected entry;

updating said selected entry to create a new entry (See column 19, lines 11-35) in a substantially similar format as the selected entry (See column 7, lines 55-67, wherein “substantially similar” reads on “matching”);

cross-indexing said selected entry to said new entry (See column 19, lines 17-35, and see column 19, lines 59-67, and see column 20, lines 1-3); and

displaying said new entry automatically via a document publishing system when said selected entry is selected by a user, said displayed new entry containing references back to said selected entry (See column 21, lines 19-41, also see column 18, lines 1-31).

As to claim 26, deVries et al. discloses comprising the further steps of:

dividing said selected entries into user defined segments (See column 2, lines 8-38);

attaching a label to at least one of said segments, said label cross-indexed with said segment, said selected entry and an index holding references to entries containing said label (See column 2, lines 29-59, and see column 16, lines 4-57).

As to claim 27, deVries et al. discloses in an electronic device, a medium holding computer-executable instructions for a method, said method, comprising the steps of:

providing a plurality of entries containing data (See column 20, lines 32-50);

assigning an entry identification number ("entry ID") to each of said entries, said entry ID being a unique value (See column 16, lines 1-38);

storing each entry indexed by its entry ID (See column 16, lines 1-38);

altering one of data in a selected one of said plurality of entries and a label associated with a selected one of the plurality of entries to create a new entry in a substantially similar format as the selected one of the plurality of entries (See column 7, lines 55-67, wherein "substantially similar" reads on "matching"), said new entry having an entry ID assigned, the new entry cross-indexed with said selected entry (See column 17, lines 17-38, also see column 19, lines 17-45, also see column 19, lines 59-67, and see column 20, lines 1-3);

updating a meta structure associated with said selected entry to indicate the time said selected entry was altered (See column 19, lines 17-45, also see column 19, lines 59-67, and see column 20, lines 1-3); and

displaying said new entry in response to requests for said selected entry (See column 20, lines 4-30).

As to claim 28, deVries et al. discloses wherein said method comprises the further steps of:

parsing said selected entry into segments (See column 2, lines 8-38);

assigning an item ID having a unique value to each of said segments (See column 16, lines 1-38); and

updating the meta structure of said selected entry to include a reference to said item ID
(See column 24, lines 58-67, and see 19, lines 36-58).

As to claim 29, deVries et al. discloses wherein said method comprises the further step
of:

attaching a label to at least one of said segments, said label cross-indexed with said
segment, said selected entry and with a table of other entries containing segments with said label
(See column 16, lines 1-38, also see column 2, lines 8-38).

As to claim 30, deVries et al. discloses in an electronic device, a method comprising the
steps of:

providing a plurality of entries containing data, the entries having a substantially similar
file format in common (See column 7, lines 55-67, wherein “substantially similar” reads on
“matching”), said data including labels referencing segments of said data (See column 16, lines
1-38);

cross-referencing a selected one of said plurality of entries with at least one different
version of said selected entry (See column 19, lines 17-35, and see column 19, lines 59-67, and
see column 20, lines 1-3);

storing in a data structure associated with said selected entry the time said labels became
associated with said selected entry (See column 19, lines 36-43, and see column 20, lines 31-50);

storing in said data structure associated with said selected entry the time said at least one different version became associated with said selected entry (See column 19, lines 17-43, and see column 20, lines 1-50);

selecting a time slice to apply to a selected entry, said time slice corresponding to a period of time (See column 19, lines 36-43, and see column 20, lines 31-50);

selecting a perspective to apply to said selected entry, said perspective being a date reference controlling which labels to display with said entry (See column 10, lines 3-65);
and

displaying said selected entry constrained by said time slice and said perspective (See column 14, lines 34-56).

As to claim 31, deVries et al. discloses in an electronic device, a method, comprising the steps of:

providing a plurality of entries containing data, the plurality of entries having a substantially similar file format in common (See column 7, lines 55-67, wherein “substantially similar” reads on “matching”) said data including labels cross-indexed with segments of said data (See column 2, lines 8-65, also see column 20, lines 31-50);

searching said plurality of entries based on said label (See column 17, lines 59-67, and see column 18, lines 1-16); and

displaying the results of said search in a document referencing other entries from said plurality of entries that contain said label (See column 16, lines 1-38).

As to claim 32, deVries et al. discloses wherein the altering of the label is the removal of the label.

As to claim 33, deVries et al. discloses wherein the altering of a label is the addition of a label (See column 14, lines 26-33, wherein “updated” reads on “altering”, also see column 1, lines 60-66, prior art).

As to claim 34, deVries et al. discloses comprising the further steps of:
removing a label associated with one of the plurality of entries (See column 14, lines 26-33, wherein “updated” reads on “removing”, also see column 19, lines 17-35); and
adding a label associated with said one of the plurality of entries (See column 1, lines 60-66, prior art) .

Allowable Subject Matter

6. Claims 8-13, and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form **including** all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record (deVries et al. -U.S. Patent No. 6,311,189 B1) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim),

searching said plurality of entries based on said label; and displaying the results of said search on a web page, wherein said web page references all of the entries from said plurality of entries that contain said label, as claimed in claim 8.

The prior art of record (deVries et al. -U.S. Patent No. 6,311,189 B1) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim), indicating in said data structure holding the original label the time the original label is replaced; and displaying said different label with said selected entry in response to requests for earlier versions of said selected entry which originally lacked said different label, as claimed in claim 9.

Claims 10-13 are objected to because they are dependent from objected to dependent claim 9.

The prior art of record (deVries et al. -U.S. Patent No. 6,311,189 B1) do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim), wherein said meta structure includes a grammar object, said grammar object expressing a ternary relationship among said data, as claimed in claim 16.

Response to Arguments

8. Applicant's arguments filed January 3, 2004 have been fully considered but they are not persuasive.

In response to applicant's arguments that "deVries et al. does not teach or suggest the updated entry and the original entry have substantially similar file formats" is acknowledged but it is not deemed to be persuasive.

The Examiner points to the 112nd paragraph rejection stated in the office action above as well as to deVries et al. column 4, lines 20-36, wherein the index database server 32 processes the message from the librarian 28 by storing the annotations that were generated for the object in the meta database corresponding to the raw audio/video data 12 in the index database 30 along with, or with reference to, the object identification number associated with the raw audio/video data 12 is described in more detail, broadly interpreted "substantially similar" reads on "corresponding to" since there has to be a "matching" operation taking place. In column 7, lines 55-67, and column 18, lines 1-8, deVries et al. discloses "matching" the labels being queried with the labels stored in the database indicating that they are all of the same format and thus are capable of being queried and matched.

Conclusion

9. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 571-272-4074. The examiner can normally be reached on 8:30AM-5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 571-272-4038. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Neveen Abel-Jalil
March 16, 2005



**SAM RIMELL
PRIMARY EXAMINER**